REMARKS

The Office action dated April 16, 2007, and the references cited therein have been received and carefully reviewed.

As preliminary matter, the Office action was discussed during an interview on August 15, 2007, for which, the undersigned would like to thank the Examiner and the Examiner's Supervisor for their helpful comments and suggestions.

As a result of the Office action, claim 10-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Matsumoto in view of Gutman. These references have been carefully reviewed but are not believed to show or suggest Applicant's invention as now claimed in any manner. Examination and allowance of the newly added claims is therefore respectfully requested in view of the following remarks.

By the above amendments, claims 10-12 have been cancelled without prejudice or disclaimer, and new claims 13 and 14 have been added in order to better distinguish the claimed invention over the prior art. No new matter has been added.

As discussed during the interview, and as indicated in the interview summary, the claimed invention now requires calculating a user fee using the operating times of the CPU,

4

the cycle times of the CPU, and a calculating table. Matsumoto discloses time counters as well as charge calculating units to calculate the operating time of one of the external units controlled by the automation device in the form of an article receiving/housing such as electronic home-by-home (or door-to-door) delivery service/reception system, electronic laundry service/reception system, parking meter system etc. The device and method according to the claimed invention is patentably distinguishable over Matsumoto since what is detected is not the operating time of external units triggered by the automation device, but rather the operating and cycle times of the CPU included in the automation device designed as storage programmable control depending on the consumer intrinsic software component. Matsumoto does not teach or suggest a method to measure the operating time of the CPU as well as of action in the form of cycle times of the CPU when performing the consumer software component. This is the basis for billing a user with the pure use of the storage programmable control independent of operating times of the connected periphery.

Gutman does not address the shortcomings of the Matsumoto as disclosed above. Therefore, in view of foregoing, it is respectfully submitted that claims 13 and 14 are patentable over the prior art.

5

Each issue raised in the Office action dated April 16, 2007, has been addressed and it is believed that claims 13 and 14 are in condition for allowance. Wherefore, Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

                              Respectfully submitted,
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6